

CITY COUNCIL REPORT



Meeting Date: May 17, 2011
 General Plan Element: *Land Use*
 General Plan Goal: *Create a sense of community through land uses*

ACTION

Enterprise Rent-A-Car 8-UP-2011

Request to consider the following:

1. Find that the Conditional Use Permit criteria have been met and adopt Resolution No. 8675 approving a Conditional Use Permit for Automobile Rental or Leasing on a 1.52 +/- acre parcel located at 15055 N. Hayden Road with Highway Commercial District (C-3) zoning.

OWNER

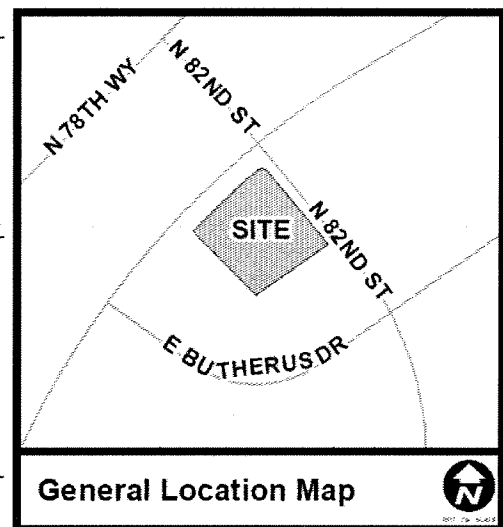
Hardy Properties LLC
602-840-6645

APPLICANT CONTACT

Tina Gabell
Enterprise Rent-A-Car
480-893-4711

LOCATION

15055 N. Hayden Road



BACKGROUND

History

The site was rezoned over three decades ago under cases 64-ZN-1979 and 58-ZN-1980. The first development of the site was for an automotive dealership. Case 32-UP-1984 was the original case for the dealership that provided for automobile sales and outdoor display with the subject site used primarily for automobile storage. That case was subsequently amended to add an additional showroom and outdoor display at the subject site.

General Plan

The General Plan Land Use Element designates the property as Commercial. This category includes areas designated for commercial centers providing goods and services frequently needed by the surrounding residential population, and retail businesses, major single uses, and shopping centers, which serve community and regional needs.

Character Area Plan

The site is located within the recently-adopted Greater Airpark Character Area Plan. The Land Use element designates the property as Employment (EMP). The EMP category includes an array of office, commercial, warehousing, and light industrial land uses that provide opportunities for business enterprises, as well as regional and local jobs.

Zoning

The site is zoned Highway Commercial District (C-3). The C-3 zoning district allows for most types of commercial activities and includes the sale of commodities or performance of services for a larger segment of population than the average neighborhood.

Other Related Policies, References:

Zoning Ordinance

64-ZN-1979 – rezone site and surrounding area from R1-35 to C-3, C-4, S-R and I-1

58-ZN-1980 – amendment to case 64-ZN-1979

32-UP-1984 – use permit for automobile sales, service and associated outdoor display

32-UP-1984#2 – use permit for expansion of auto sales and outdoor display areas

Context

The subject property is located at the southeast corner of N. Hayden Road and N. 82nd Street and is surrounded by a variety of uses including automotive, retail, office, manufacturing and other light industrial uses in the Highway Commercial (C-3), General Commercial (C-4) and Industrial Park (I-1) zoning districts. Please refer to context graphics attached.

Key Items for Consideration

- Compliance with the required criteria for evaluation of a Conditional Use Permit
- No correspondence regarding the proposed use
- Planning Commission heard this case on April 13, 2011, and recommended approval with a unanimous vote of 7-0.

APPLICANTS PROPOSAL

Goal/Purpose of Request

The applicant's request is for a Conditional Use Permit for automobile rental or leasing to allow for a rental car facility at the existing site. No changes to the existing building or site design are proposed. The ability for automobile sales and outdoor display on the site will continue with the proposed use.

Development Information

- Existing Use: Currently vacant, former automobile sales and outdoor display

- **Proposed Use:** Automobile rental or leasing (existing automobile sales and outdoor display uses to remain)
- **Buildings/Description:** Existing one-story building
- **Parcel Size:** 66,036 sf / 1.52 acres
- **Building Height Allowed:** 36 feet
- **Building Height Existing:** 18' – 8"
- **Parking Required:** 34 spaces
- **Parking Existing:** 82 spaces
- **Open Space Required:** 8,365 sf
- **Open Space Existing:** 12,230 sf
- **Floor Area:** 2,924 sf

IMPACT ANALYSIS

Land Use

Although currently vacant, the site was used most recently for automobile sales and outdoor display. The proposed automobile rental or leasing use is similar in nature to the most recent use of the site and, therefore, will continue to provide a similar balance of uses in the vicinity as has occurred in the past. In addition, no changes to the site or building design are proposed, limiting any potential impacts on the area.

Airport Vicinity

The proposed use is not intending to modify any the existing building or other aspects of the site. As such no impacts to the airport or surrounding vicinity are anticipated with the proposal.

Conditional Use Permit

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and City Council has found as follows:

- A. That the granting of such Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - **The proposed automobile rental or leasing use is not anticipated to create damage or nuisances arising from noise, smoke, odor, dust, vibration or illumination. As noted above, no changes are proposed to the existing site, which was used most recently as an automotive dealership.**
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **The site was designed originally for use as an automotive dealership. As such, it currently has adequate access and off-street parking. The proposed use is not**

anticipated to impact adversely impact the volume or character of traffic of the surrounding areas.

B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

- **There are currently several automotive and other uses in the area that are compatible and complementary with the proposed use. The area surrounding the site is a mix of retail, office, manufacturing and light industrial uses that, which the proposed use is compatible with.**

C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

This proposal meets the provisions for Outdoor Vehicular Display as identified in Zoning Ordinance Section 1.403.K., including:

1. The maximum area for display shall not exceed twenty (20) percent of the total net lot area.
 - **Existing display areas are located adjacent to N. Hayden Road and meet the requirement as outlined in case #32-UP-1984#2.**
2. Display shall be limited to hard-surfaced display areas and shall be incorporated into a setting of meaningful open space.
 - **The existing display areas are paved with a hard-surface material and are incorporated into the site's existing open space along N. Hayden Road.**
3. All areas designated for vehicle storage shall be screened from view by masonry walls and approved landscape screens from the street and adjacent properties. Vehicle storage areas shall not be subject to the parking lot landscape requirements.
 - **Existing display areas are screened by existing masonry walls from the adjacent N. Hayden Road as required.**

Traffic/Trails

The proposed use is not anticipated to generate traffic that is out of character with the surrounding area. The transportation department has reviewed the proposed use and has found no anticipated impacts. There are no existing or proposed trails in the area of the proposed use.

Water/Sewer

The City's Water Resources Department has reviewed the proposed use and has determined that there are adequate water and sewer service in the area to serve the proposed use and no impacts are anticipated as a result of the use.

Public Safety

There are no additional police or fire requirements as a result of this request. The nearest fire station is located at 14960 N. 78th Way, approximately 2000 feet away from the site.

Open Space

The site has existing open space provided on both street frontages. The proposal does not intend to change the location or quantity of open space on the site. The site is in compliance with open space

requirements.

Community Involvement

The applicant has notified all property owners within 750 feet of the site by mail and posted the site with the required signs identifying the request. The applicant also held an open house meeting on February 2, 2011. In addition, staff has notified all property owners within 750 feet of the site with a postcard. Staff has not received any correspondence regarding the proposed use.

Community Impact

The proposed use is similar in nature to the most recent use of the site and is, therefore, not anticipated to adversely affect existing traffic, infrastructure or safety service in the area. In addition, the proposed use is a complementary use to many of the existing uses in the surrounding area, which include several automotive uses.

OTHER BOARDS & COMMISSIONS

Planning Commission

Planning Commission heard this case on April 13, 2011, and found that the Conditional Use Permit criteria have been met, and recommended approval, subject to the attached stipulations with a unanimous vote of 7-0.

Staff Recommendation to Planning Commission

Staff recommended that the Planning Commission find that the Conditional Use Permit criteria have been met, and make a recommendation to City Council for approval per the attached stipulations.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

1. Find that the Conditional Use Permit criteria have been met and adopt Resolution No. 8675 approving a Conditional Use Permit for Automobile Rental or Leasing on a 1.52 +/- acre parcel located at 15055 N. Hayden Road with Highway Commercial District (C-3) zoning.

RESPONSIBLE DEPARTMENT

Planning, Neighborhood and Transportation

Current Planning Services

STAFF CONTACT

Brad Carr, AICP
Senior Planner
480-312-7713
E-mail: bcarr@ScottsdaleAZ.gov


APPROVED BY



Brad Carr, AICP, Report Author

5.2.2011

Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

5/2/2011

Date



Connie Padian, Administrator
Planning, Neighborhood and Transportation
480-312-2664, cpadian@scottsdaleaz.gov

5/2/11

Date

ATTACHMENTS

1. Resolution No. 8675
Exhibit 1. Context Aerial
Exhibit 2. Stipulations
Exhibit A to Exhibit 2: Site Plan
Exhibit 3. Additional Criteria
2. Applicant's Narrative
3. Aerial Close-Up
4. General Plan Map
5. Zoning Map
6. Neighborhood Notification
7. City Notification Map
8. April 13, 2011 Planning Commission Hearing Minutes

RESOLUTION NO. 8675

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A CONDITIONAL USE PERMIT FOR AUTOMOBILE RENTAL OR LEASING ON A 1.52 +/- ACRE PARCEL LOCATED AT 15055 N. HAYDEN ROAD, WITH HIGHWAY COMMERCIAL DISTRICT (C-3) ZONING.

WHEREAS, the Planning Commission held a public hearing on April 13, 2011; and

WHEREAS, the City Council, held a public hearing on May 17, 2011.

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council finds:

- a) that the granting of this conditional use permit per stipulations set forth on Exhibit 2 will not be materially detrimental to the public health, safety or welfare based on but not limited to the following factors: damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination and impact on surrounding areas resulting from an unusual volume or character of traffic;
- b) that the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
- c) that compliance with the additional conditions for Outdoor vehicular display, set forth on Exhibit 3, is required.

Section 2. That a description of the conditional use permit is set forth in Case No. 8-UP-2011. The property that is subject to the conditional use permit is shown on Exhibit 1 and the conditional use permit approval is conditioned upon compliance with all of the stipulations that are set forth in Exhibit 2. All exhibits are incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 17th day of May, 2011.

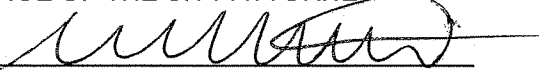
ATTEST:

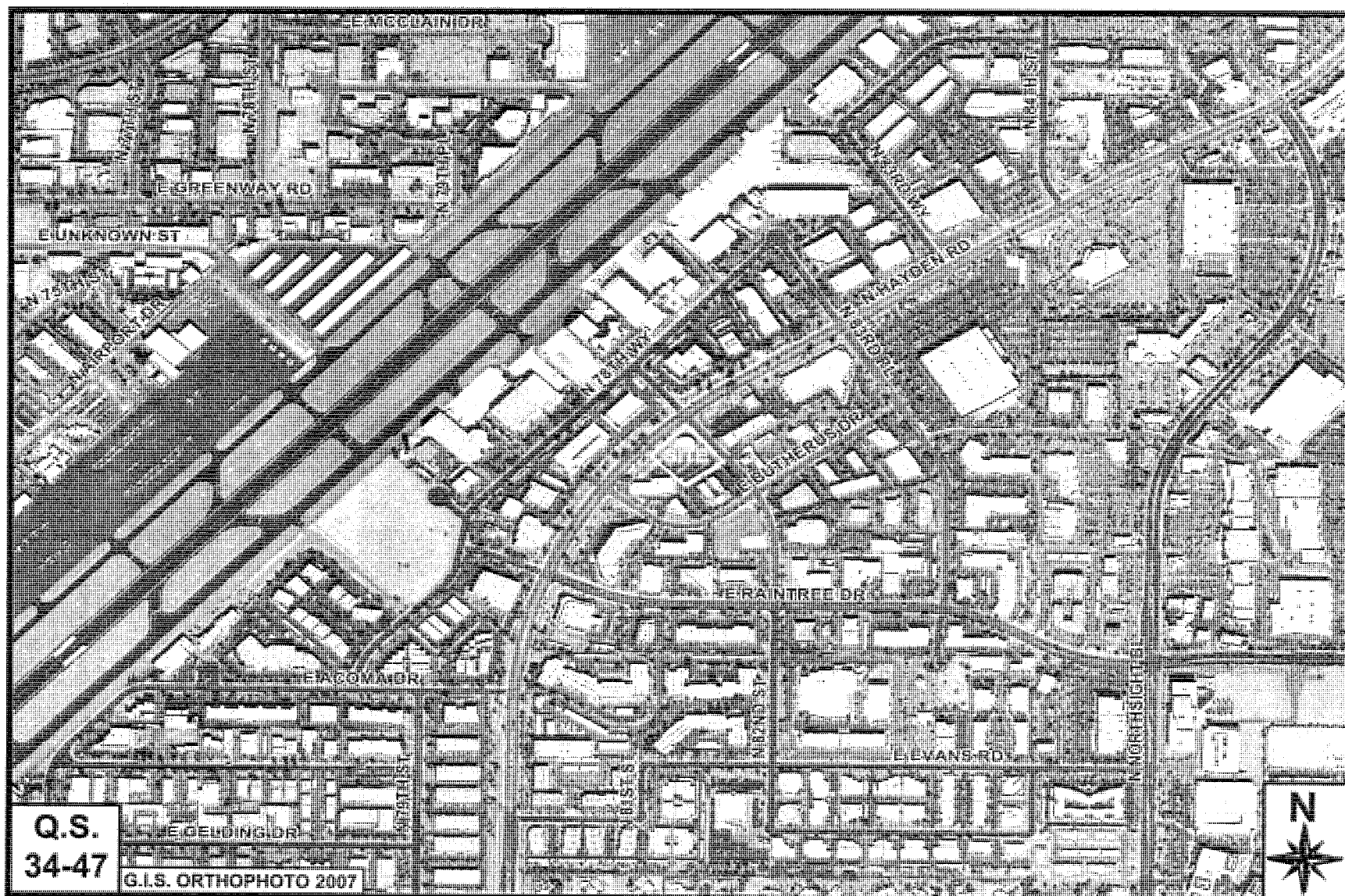
CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 
Bruce Washburn, City Attorney
By: Sherry R. Scott, Deputy City Attorney



Enterprise Rent-A-Car

Exhibit 1
Resolution No. 8675

8-UP-2011

**Stipulations for the Conditional Use Permit
For Automobile Rental or Leasing
Enterprise Rent-A-Car
Case Number: 8-UP-2011**

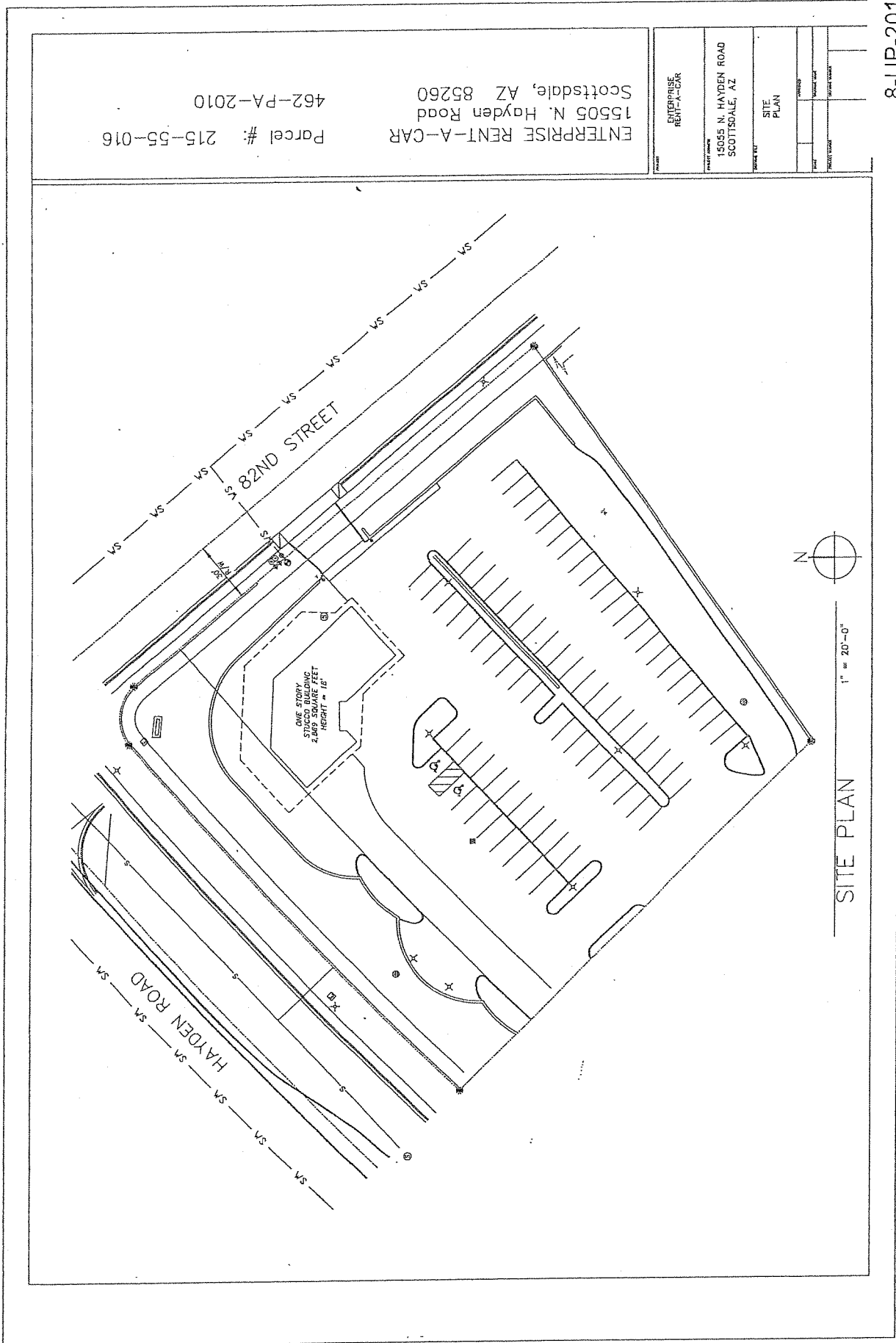
These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

GOVERNANCE

1. APPLICABILITY. Prior use permits and case stipulations of cases 32-UP-1984 and 32-UP-1984#2 continue in affect on the property. All stipulations, as defined below, pertain to this case, 8-UP-2011, only.

SITE DESIGN

2. CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan submitted by Enterprise Rent-A-Car with the city staff date of 2/28/2011, attached as Exhibit A to Exhibit 2. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.



8-UP-2011
 1st: 2/28/11

EXHIBIT 3

Except from the Zoning Ordinance of the City of Scottsdale, Section 1.403

K. *Outdoor vehicular display.*

1. The maximum area for display shall not exceed twenty (20) percent of the total net lot area.
2. Display shall be limited to hard-surfaced display areas and shall be incorporated into a setting of meaningful open space.
3. All areas designated for vehicle storage shall be screened from view by masonry walls and approved landscape screens from the street and adjacent properties. Vehicle storage areas shall not be subject to the parking lot landscape requirements.



1444 W. Auto Drive
Tempe, AZ 85284

City of Scottsdale
7447 E. Indian School Road, Ste 105
Scottsdale, AZ 85251

RE: 15055 N. Hayden Road
462-PA-2010

Enterprise Rent-A-Car is seeking approval for a conditional use permit in C-3 zoning to allow automobile rental or leasing at 15055 N. Hayden Road. The granting of this conditional use permit will not be detrimental to public health, safety or welfare. Our use will not cause damage or nuisance from noise, smoke, odor, dust, vibration or illumination. It will in no way impact surrounding areas resulting from unusual volume or character of traffic. The characteristics of the proposed conditional use are compatible with the types of uses already permitted in the surrounding area.

Enterprise is distinguished from other rental car companies in that we specialize in replacement rentals. We therefore, do not maintain large offices where cars remain parked for several days before being rented. Instead, Enterprise runs a high utilization of vehicles with a minimal number of cars on ground.

We will be utilizing an existing building containing approximately 2869 square feet. We will also be utilizing the existing interior bucket car wash bay on the south side of the building. This car wash will not be visible to the public from Hayden Road or 82nd Street and will be for the exclusive use of Enterprise Rent-A-Car to clean our vehicles.

Our typical hours of operation are:
Monday thru Friday - 7:00am to 6:00pm
Saturday - 9:00am to 4:00pm
Sunday - Closed

We appreciate your consideration of this application.

Sincerely,

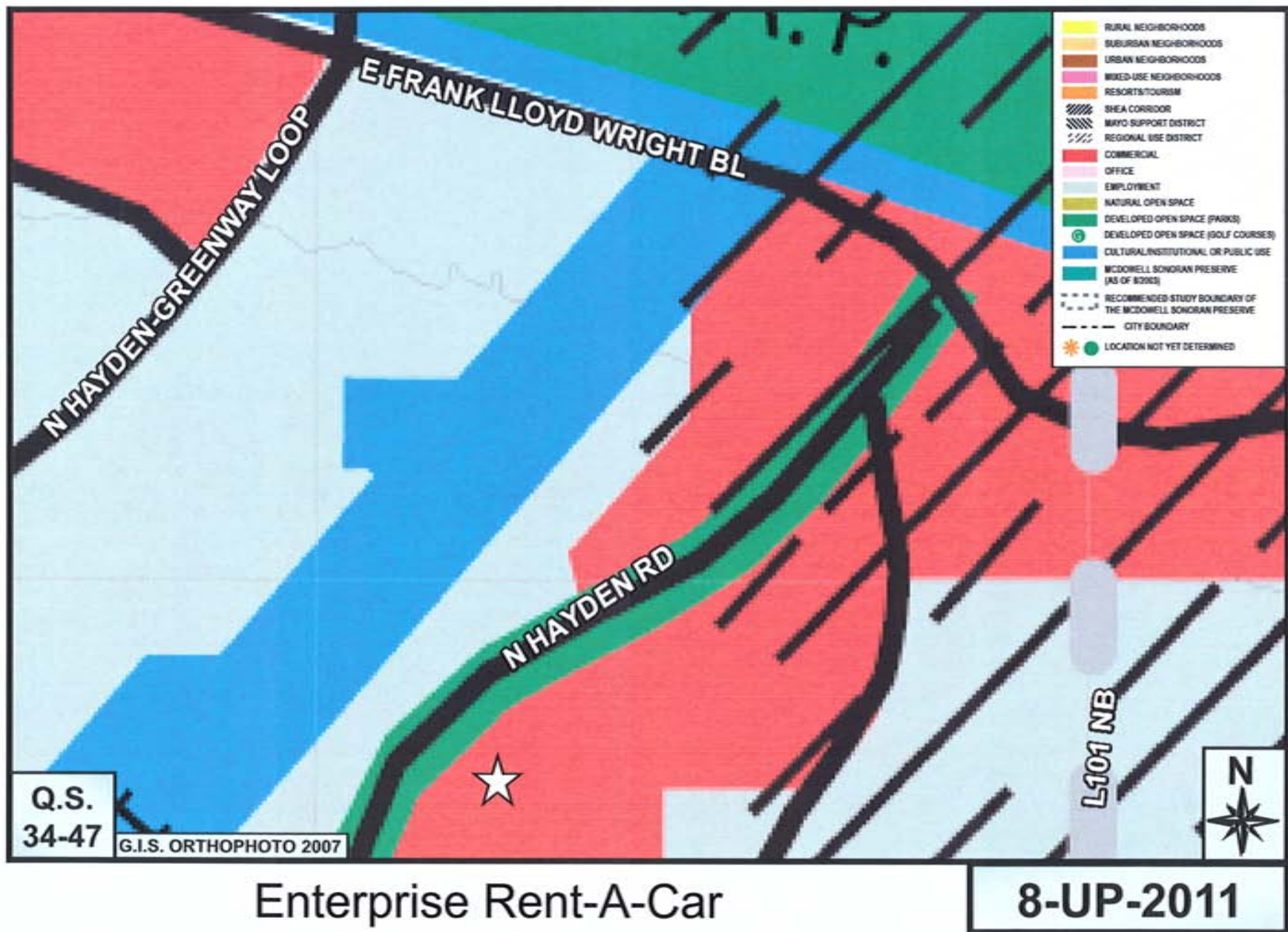
A handwritten signature in cursive script that reads "Tina M. Gabell".

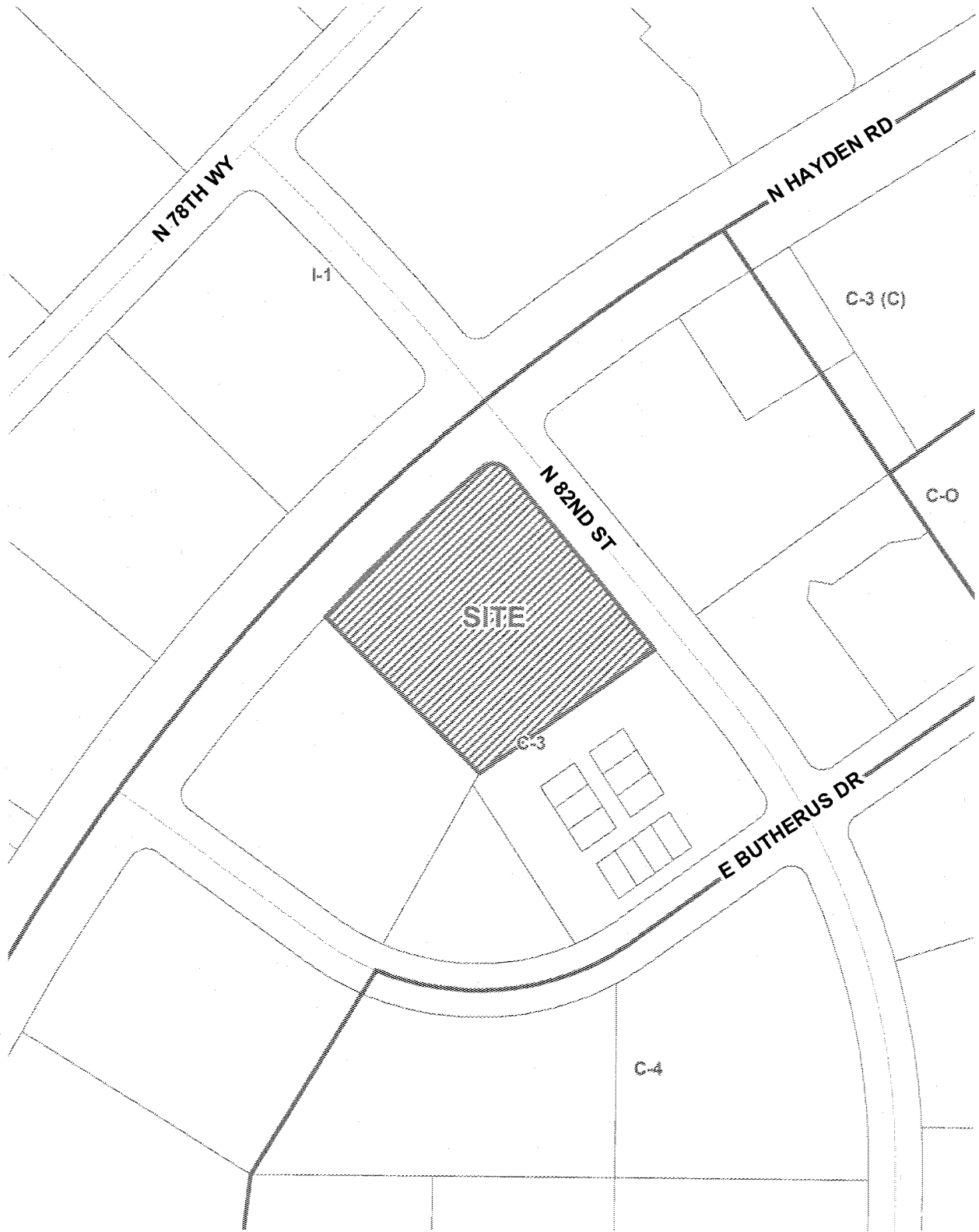
Tina M. Gabell
Operations Manager



Enterprise Rent-A-Car

8-UP-2011





8-UP-2011

ATTACHMENT #5





1444 W. Auto Drive
Tempe, AZ 85284

January 19, 2011

copy

Dear Property Owner:

The purpose of this letter is to inform you that our company will be filing a Conditional Use Permit, Pre-Application No: 462-PA-2010 for a site located at 15055 N. Hayden Rd, Scottsdale, AZ. Please be advised that a neighborhood meeting is planned to review this case. You are welcome to attend this meeting to learn about the case.

The following describes our request:

Site Address: 15055 N. Hayden Road, Scottsdale, AZ

Description of Request: Request to update the existing conditional use permit to allow automobile rental or leasing with C-3 zoning.

Description of Project and Proposed Use: Operation of a local automobile rental facility. There will be no maintenance service or repair of vehicles at this location.

Site Acreage: Approximately 1.4 Acres. An existing single story retail building which is approximately 2869 sq feet.

Applicant Contact: Enterprise Rent-A-Car®
Tina Gabell – Operations Manager
480-705-5005- x2111
tina.m.gabell@erac.com

City Contact: City Of Scottsdale
Brad Carr – Senior Planner
480-312-7713
bcarr@scottsdaleaz.gov

Neighborhood Open House Meeting:

Date: February 2, 2011

Time: 5:00 pm

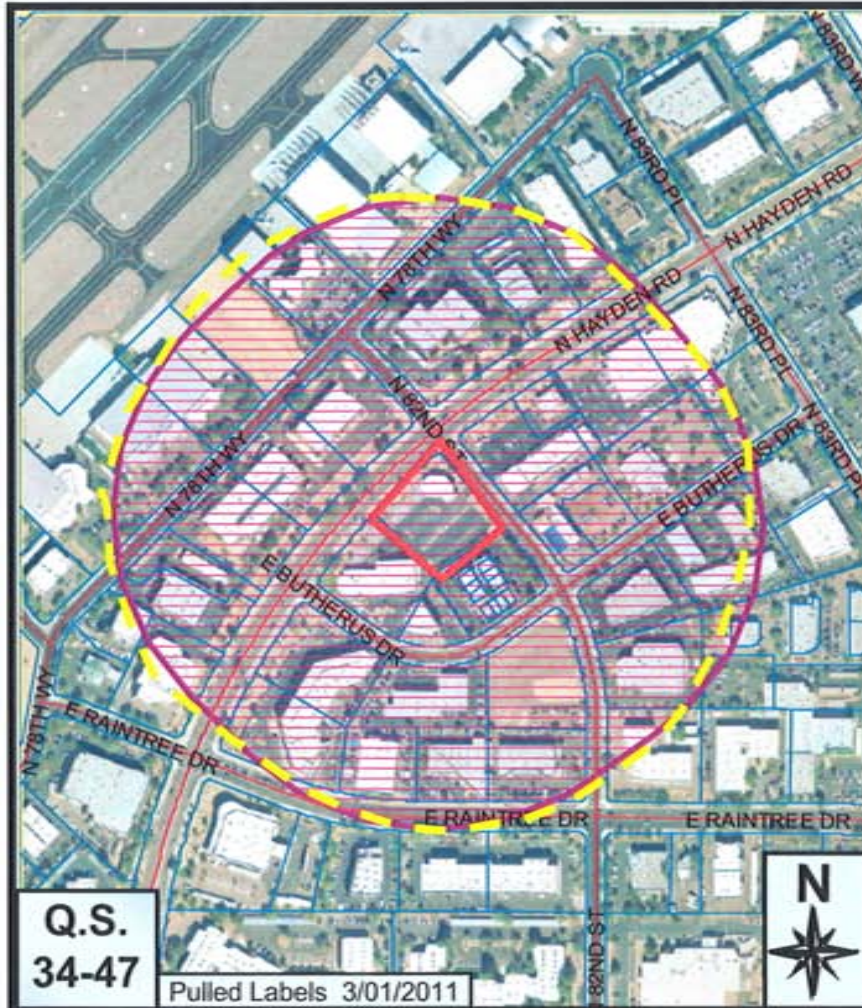
Location: Arabian Library – 10215 East McDowell Ranch Road, Scottsdale, AZ

Again, I would be happy to answer any questions you may have regarding this proposal. You may reach me at phone number 480-705-5005 x2111 and fax number 480-496-6819.

Sincerely,

Tina M. Gabell
Enterprise Rent-a-Car

City Notifications – Mailing List Selection Map



Map Legend:



Site Boundary



Properties within 750-feet

Additional Notifications:

- Interested Parties List
- Adjacent HOA's

Enterprise Rent-a-Car

8-UP-2011

ATTACHMENT #7

COMMISSIONER CODY MOVED TO CONTINUE 2-ZN-2011 TO A DATE TO BE DETERMINED. SECONDED BY COMMISSIONER EDWARDS, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

- 3. 3-II-2010 (Scottsdale & Angus)
- 4. 2-AB-2011 (Scottsdale & Angus Abandonment)
- 5. 10-ZN-2010 (Scottsdale & Angus)

COMMISSIONER PETKUNAS MOVED TO CONTINUE 3-II-2010, 2-AB-2011, AND 10-ZN-2010 TO APRIL 27, 2011. SECONDED BY COMMISSIONER FILSINGER, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0); COMMISSIONER EDWARDS RECUSED.

EXPEDITED AGENDA

- 6. 5-AB-2011 (Sommer Residence)
- 7. 25-UP-2010 (Chaparral Christian Church Working Garden)

Peter Suarez spoke in opposition to the project.

CHAIR D'ANDREA MOVED 25-UP-2010 TO REGULAR. COMMISSIONER FILSINGER MOVED TO CONTINUE 25-UP-2010 TO A DATE TO BE DETERMINED. SECONDED BY COMMISSIONER PETKUNAS, THE MOTION CARRIED WITH A VOTE OF SIX (6) TO ONE (1); COMMISSIONER SCHMITT DISSENTING.

- 8. 42-UP-2010 (Arte Memory Center)
- 9. 6-UP-2011 (AT&T CMC Golf Site No. W384-BB)

Garret Weyand spoke in favor to the project.

CHAIR D'ANDREA MOVED 6-UP-2011 TO REGULAR. COMMISSIONER PETKUNAS MOVED TO RECOMMEND THAT CITY COUNCIL APPROVE CASE 6-UP-2011, PER THE STAFF RECOMMENDED STIPULATIONS, BASED UPON THE FINDING THAT THE CONDITIONAL USE PERMIT CRITERIA HAVE BEEN MET. SECONDED BY VICE-CHAIR GRANT, THE MOTION CARRIED WITH A VOTE OF SIX (6) TO ONE (1); CHAIR D'ANDREA DISSENTING.

- 10. 8-UP-2011 (Enterprise Rent-A-Car)

VICE-CHAIR GRANT MOVED TO RECOMMEND THAT CITY COUNCIL APPROVE CASES 5-AB-2011, 42-UP-2010, AND 8-UP-2011, PER THE STAFF RECOMMENDED STIPULATIONS, BASED UPON THE FINDING THAT THE CONDITIONAL USE PERMIT CRITERIA HAVE BEEN MET. SECONDED BY COMMISSIONER PETKUNAS, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

REGULAR AGENDA

- 11. General Plan Initiation

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at: www.scottsdaleaz.gov/boards/PC.asp